

House File 2227 - Introduced

HOUSE FILE 2227

BY HUNTER

A BILL FOR

1 An Act relating to state and school antiharassment and
2 antibullying policies, providing for a harassment
3 and bullying investigation specialist, and making an
4 appropriation.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 256.34 Harassment and bullying
2 investigation specialist — appropriation.

3 1. For purposes of this section, “harassment” and “bullying”
4 mean the same as defined in section 280.28.

5 2. The department shall employ a harassment and bullying
6 investigation specialist who shall develop in-person training,
7 materials, and other tools to prevent and respond appropriately
8 to harassment and bullying in public and nonpublic schools.

9 3. For the fiscal year beginning July 1, 2014, and ending
10 June 30, 2015, and for each succeeding fiscal year, there
11 is appropriated from the general fund of the state to the
12 department the sum of five hundred thousand dollars, for
13 purposes of this section.

14 Sec. 2. Section 280.28, subsection 2, paragraph a, Code
15 2014, is amended to read as follows:

16 a. “*Electronic*” means any communication involving the
17 transmission of information by wire, radio, optical cable,
18 electromagnetic, or other similar means. “*Electronic*” includes
19 but is not limited to communication via electronic mail,
20 internet-based communications including social networking
21 sites, pager service, cell phones, ~~and~~ electronic text
22 messaging, or any other electronic communication site, device,
23 or means.

24 Sec. 3. Section 280.28, subsection 3, paragraph a,
25 subparagraph (1), Code 2014, is amended to read as follows:

26 (1) School employees, volunteers, and students in
27 school, on school property, ~~or~~ at any school function or
28 school-sponsored activity, or otherwise under the supervision,
29 care, or control of the school shall not engage in harassing
30 and bullying behavior against students.

31 Sec. 4. Section 280.28, subsection 3, paragraph g, Code
32 2014, is amended to read as follows:

33 g. A statement of the manner in which the policy and
34 complaint process will be publicized.

35 Sec. 5. Section 280.28, subsection 7, Code 2014, is amended

1 to read as follows:

2 7. *Integration of policy and reporting.* The board of
3 directors of a school district and the authorities in charge of
4 each nonpublic school shall integrate its antiharassment and
5 antibullying policy into the comprehensive school improvement
6 plan required under section 256.7, subsection 21, and shall
7 ~~report data collected under subsection 6, as specified by the~~
8 following to the department, to and the local community:

9 a. Data collected under subsection 6, as specified by the
10 department.

11 b. The process used for filing complaints, including the
12 location of online or other complaint forms.

13 c. Antiharassment and antibullying training completed by
14 school employees, volunteers, and students during each school
15 year.

16 Sec. 6. Section 280.28, Code 2014, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 9. *Rulemaking authority.* The department of
19 education may adopt rules necessary to administer this section
20 in a uniform manner throughout the state.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill requires the department of education to employ a
25 harassment and bullying investigation specialist and provides
26 duties for the specialist. The bill appropriates \$500,000 to
27 the department for the fiscal year beginning July 1, 2014, and
28 ending June 30, 2015, and for each succeeding fiscal year for
29 this purpose.

30 The bill also makes various modifications to Code section
31 280.28, the state law relating to school antiharassment and
32 antibullying policies.

33 The bill modifies the definition of "electronic" by adding
34 any other electronic communication site, device, or means to
35 the definition and by including social networking sites as part

1 of the term "internet-based communications".

2 Current law requires that school antiharassment and
3 antibullying policies prohibit harassment and bullying behavior
4 by school employees, volunteers, and students in school, on
5 school property, or at any school function or school-sponsored
6 activity. The bill requires that such policies also prohibit
7 harassment and bullying behavior by school employees,
8 volunteers, and students otherwise under the supervision, care,
9 or control of the school.

10 The bill requires such policies to include a statement of
11 the manner in which the complaint process for incidents of
12 harassment or bullying will be publicized.

13 The bill modifies data reporting requirements for schools
14 by requiring the board of directors of a school district and
15 the authorities in charge of each nonpublic school to report
16 certain additional information to the department and the local
17 community.

18 The bill permits the department to adopt rules necessary to
19 administer Code section 280.28 in a uniform manner throughout
20 the state.